



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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ALHAMBRA, CALIFORNIA 91802-1460

September 2, 2004

IN REPLY PLEASE  
REFER TO FILE:

**MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION  
SOLEDAD CANYON ROAD AND FUTURE STREET - PINETREE  
SUPERVISORIAL DISTRICT 5  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that:
  - a. Pursuant to Section 8331(a) and (b) of the California Streets and Highways Code, the portion of Soledad Canyon Road and Future Street (rights of way) have been impassable for vehicular traffic for a period of five consecutive years and no public monies were expended for maintenance of the rights of way during that period.
  - b. Pursuant to Section 8334(a) and (b) of the Streets and Highways Code, these County rights of way are excess, not required for street or highway purposes, lie within property under one ownership, and do not continue through such ownership or end touching property of another.

- c. Pursuant to Section 892 of the Streets and Highways Code, the rights of way to be vacated, terminated, and abandoned are not useful as nonmotorized transportation facilities.
  - d. The areas prepared to be vacated, terminated, and abandoned are no longer needed for present or prospective public use.
3. Adopt the enclosed Resolution of Summary Vacation to vacate, terminate, and abandon that portion of Soledad Canyon Road and rights of way as described in Exhibit "A" and as depicted in Exhibit "B" of the Resolution.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The vacation of that portion of Soledad Canyon Road and termination and abandonment of the rights of way were a precondition for the sale of County-owned property (Soledad Canyon Road, vacated) to Winston Plaza/Railroad, LLC, et al. The sale was approved by your Board on November 12, 2003, Synopsis 38. Winston Plaza/Railroad, LLC, et al., the owners of the adjacent property on the south, wanted to consolidate the two properties free of the encumbrances of the rights of way.

The rights of way to be vacated, terminated, and abandoned were designed to provide access to the property south of and adjoining the former County-owned property. However, since Winston Plaza/Railroad, LLC, et al., now owns these two adjoining properties south of Soledad Canyon Road, the rights of way have become unnecessary.

#### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the rights of way will result in added revenue through assessment and taxation, eliminate unnecessary maintenance cost, and remove possible County exposure to liability.

#### **FISCAL IMPACT/FINANCING**

Vacation of the County's interest/rights will not have a negative fiscal impact on its budget. As this is a County-initiated project (a conditional County-property sale), the vacation is processed gratis. The waiver of the fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule).

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The areas to be vacated, terminated, and abandoned contain approximately 7,498 square feet and are shown on the map attached to the Resolution.

The County is vested with the right to accept the rights of way reserved in a Vacation Resolution adopted by your Board in 1996, recorded on April 18, 1996, as Official Records Document No. 96-614287, in the Office of the Recorder of the County of Los Angeles. The portion of Soledad Canyon Road to be vacated was dedicated for public use on the map of Tract No. 45933, filed in Book 1200, pages 70 to 89, inclusive, of Maps, in said Recorder's office.

The Public Streets and Highways Code and the Service Easement Vacation Law allow your Board to voluntarily relinquish the County's interest over the areas to be vacated. Adoption by your Board of our recommendation disposes of excess County right of way. This action will also result in the property being unencumbered of the County's interest, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated areas.

Existing public utility facilities or easements (if any) within the proposed vacation areas will not be affected by the vacation.

### **ENVIRONMENTAL DOCUMENTATION**

With respect to the requirements of CEQA, this proposed vacation, termination, and abandonment are categorically exempt as specified in Classes 5, 12, and 21 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15305, 15312, and 15321 of the State CEQA Statutes and Guidelines.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation, termination, and abandonment of a portion of Soledad Canyon Road do not conflict with the County-adopted General Plan and that the proposed vacation areas are not useful as nonmotorized transportation facilities.

The Honorable Board of Supervisors  
September 2, 2004  
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**CONCLUSION**

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to this office for further processing. We will record the Resolution and return the executed original to you when recorded. In the interim, please retain one executed original for your files.

One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE  
Interim Director of Public Works

CVC:bw  
P5:2146CBRDLTR

Enc.

cc: Chief Administrative Office  
County Counsel

## **RESOLUTION OF SUMMARY VACATION**

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that the portion of Soledad Canyon Road and the Future Street southwest of Soledad Canyon Road, 100 feet wide (hereinafter referred to as the rights of way), legally described in Exhibit "A", and as shown by the map in Exhibit "B", both attached hereto and incorporated herein by this reference, which rights of way are located in the vicinity of Pinetree, in the County of Los Angeles, State of California, are no longer needed for present or prospective public use based upon the following facts: (1) that the subject rights of way have been impassable for vehicular traffic for five consecutive years and that no public monies were expended for maintenance on the rights of way during that period; (2) that the rights of way are excess and not required for street or highway purposes, lie within property under one ownership, and do not continue through such ownership or end touching property of another; and (3) that the rights of way are not required for general public access, circulation, or for nonmotorized transportation facilities.

BE IT FURTHER RESOLVED that the rights of way in, over, and across said property for street and highway purposes, and legally described in Exhibit "A" are hereby terminated and abandoned pursuant to Title 1, Division 7, Chapter 12.7, Section 7050 of the Government Code, and vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.

BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the Office of the Recorder of the County of Los Angeles, at which time a portion of Soledad Canyon Road will no longer be a public highway, the reservation for the future street is terminated, and the County's right to accept the future street abandoned.

The foregoing Resolution was on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

CVC:bw  
P5:2146CBRDLTR

**FUTURE STREET AND  
SOLEDAD CANYON ROAD**

E/O Mammoth Lane

APN 2854-044

T.G. 4462 G/7

I.M. 264-157

R.D. 553

Fifth District

PCA M0476101

**EXHIBIT "A"**

**Legal Description**

**PART A**

That FUTURE STREET, 66 feet wide and variable width, in the unincorporated territory of the County of Los Angeles, State of California, reserved in Vacation Resolution, adopted by the Board of Supervisors of the County of Los Angeles on April 6, 1995, and recorded on April 18, 1996, as Document No. 96-614287 of Official Records, in the Office of the Recorder of said County.

**PART B**

That portion of SOLEDAD CANYON ROAD, variable width, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use by map of Tract No. 45933, filed in Book 1200, pages 70 to 89 inclusive, of Maps, in the Office of the Recorder of said County, bounded southerly by the southerly boundary of said tract and bounded northeasterly by the southeasterly continuation of that certain line in the southerly sideline of Soledad Canyon Road, 100 feet wide, having a radius of 1,450 feet and a length of 1,000.65 feet, as shown on said tract.

Containing: 7,498.16± square feet

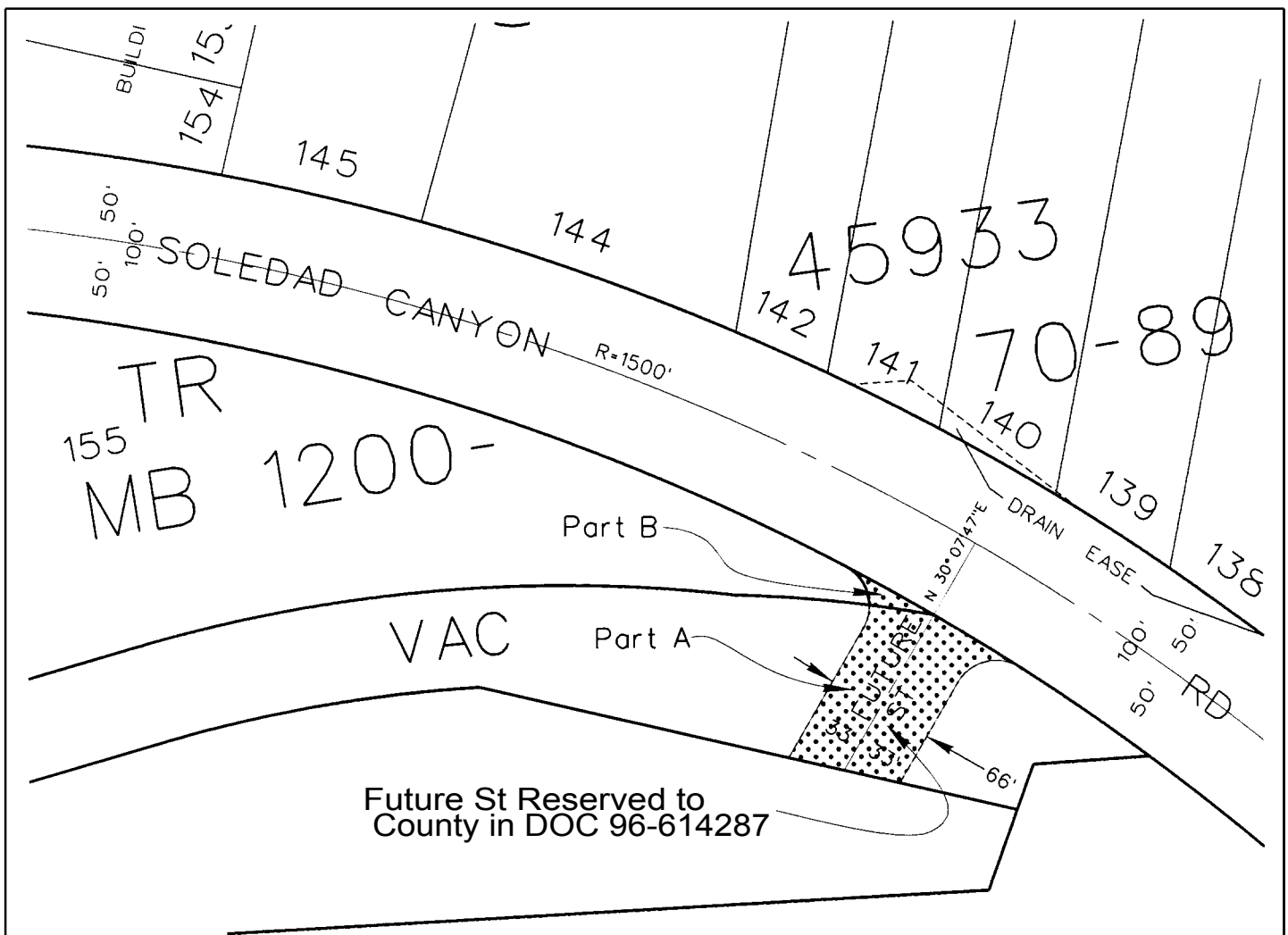
Description Approved

DONALD L. WOLFE

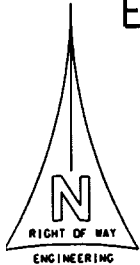
Interim Director of Public Works

By \_\_\_\_\_  
Deputy

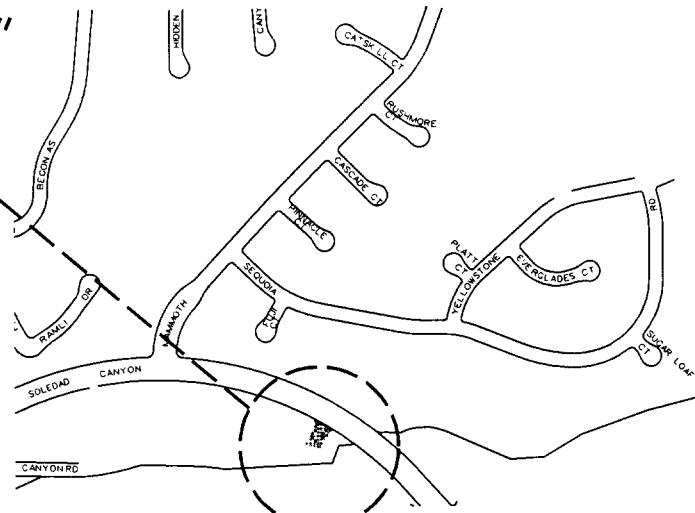
This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.



## EXHIBIT "B"



**SUBJECT  
LOCATION**



### LEGEND

Area to be vacated

Total Area 7498 ' s.f.

### REVISIONS

1. 8-05-04

2.

3.

### DEPARTMENT OF PUBLIC WORKS

### MAPPING & PROPERTY MANAGEMENT DIVISION

SD-  
5

RD.  
553

A. M. B.  
2854-44

T. G.  
4462-G7

**FUTURE STREET S/O  
SOLEDAD CANYON RD  
E/O MAMMOTH LN**

DRAWING NO.

M0476101

SCALE  
NONE

DATE  
9-16-03

I. M.  
264-157